

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHERMAN JOHNSON JR., and SARKIS  
LABACHYAN,

Defendants.

**8:16CR241**

**ORDER**

This matter is before the Court on defendant Sherman Johnson Jr.’s (“Johnson”) Motion for New Trial and Request for Hearing Pursuant to Rule 33 of the Federal Rules of Criminal Procedure (Filing No. 146). Although the title of Johnson’s motion requests a hearing, nothing in the text of the motion asks for a hearing. Under the circumstances of the case, the Court finds a hearing is not necessary.

Johnson indicated that he was ordering a transcript of the jury voir dire and “reserve[ed] his right to supplement th[e] motion after he received” it. Johnson shall have five days to request the voir dire transcript and fourteen days after receipt of the transcript to file a supplemental brief. Accordingly,

**IT IS ORDERED:**

1. No hearing will be set for Johnson’s Motion for New Trial and Request for Hearing Pursuant to Rule 33 of the Federal Rules of Criminal Procedure (Filing No. 146).
2. Johnson will have five days to request the voir dire transcript and fourteen days after receipt of the transcript to file a supplemental brief, and the government will have seven days to respond to Johnson’s supplemental brief.

Dated this 29th day of May, 2018.

**BY THE COURT:**

Robert F. Rossiter, Jr.  
United States District Judge